UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

FLOYD MORROW and MARYANN :

MORROW,

: HONORABLE JOSEPH E. IRENAS Plaintiffs, : CIVIL ACTION NO. 09-4223

:

v. : ORDER DENYING DEFENDANTS'

MOTION FOR SUMMARY JUDGMENT

MARINEMAX, INC., et al., : (Docket # 22)

:

Defendants. :

APPEARANCES:

DAVID K. LONG & ASSOCIATES
By: David K. Long, Esq.
1555 Zion Road, Suite 100
Northfield, New Jersey 08225
Counsel for Plaintiffs

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN By: Matthew S. Schorr, Esq. 425 Eagle Rock Avenue, Suite 302 Roseland, New Jersey 07068 Counsel for Defendants

IRENAS, Senior District Judge:

This matter having appeared before the Court upon

Defendant's Motion for Summary Judgment (DKT No. 22), the Court

having considered the submissions of the parties and heaving

heard oral argument on August 16, 2010, for the reasons set forth

in the Opinion issued by this Court on even date herewith, which

findings of fact and conclusions of law are incorporated herein

by reference, and for good cause appearing;

IT IS on this $\underline{17th}$ day of August, 2010,

ORDERED THAT:

Defendants' Motion for Summary Judgment is hereby **DENIED**.

s/ Joseph E. Irenas

Joseph E. Irenas, S.U.S.D.J.